

IN THE CHANCERY COURT OF THE STATE OF TENNESSEE
ELEVENTH JUDICIAL DISTRICT, HAMILTON COUNTY

RECEIVED
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Clerk & Master

STATE OF TENNESSEE, ex rel. ANNE B. POPE,)
in her official capacity as COMMISSIONER OF THE)
TENNESSEE DEPARTMENT OF)
COMMERCE AND INSURANCE,)

Petitioner,)

No. 02-0079

vs.)

UNITED STATES FIRE INSURANCE COMPANY;)
UNITED STATES FIDELITY AND GUARANTY)
COMPANY; EMPLOYERS REINSURANCE)
CORPORATION; UTICA MUTUAL INSURANCE)
COMPANY; INSURANCE COMPANY OF NORTH)
AMERICA; and SAFECO INSURANCE COMPANY)
OF AMERICA)

Respondents.)

In matter of Bonds held by the Commissioner)
for Workers' Compensation Self-Insurance of Tennessee)
employer, NORTH AMERICAN ROYALTIES, INC.,)
and its subsidiaries, Wheland Holding Company, Inc.,)
Wheland Manufacturing Company, Inc. and Wheland)
Foundry, LLC, debtors in possession;)

**ORDER SPECIALLY SETTING A HEARING ON THE COMMISSIONER OF
COMMERCE AND INSURANCE'S PETITION FOR TEMPORARY AND
PERMANENT INJUNCTIVE RELIEF FOR TURN-OVER OF BOND PROCEEDS AND
FOR APPOINTMENT OF A RECEIVER/ADMINISTRATOR OF BOND FUNDS**

Upon consideration of the Verified Petition of the Commissioner of Commerce and
Insurance For Temporary and Permanent Injunctive Relief for Turn-Over of Bond Proceeds
Posted for Workers' Compensation Self-insurance Under Tenn. Code Ann. § 50-6-405; For
Appointment of a Receiver/ Administrator of Bond Funds, and Request for Expedited Hearing
and Relief ("Verified Petition") requesting relief for the pendency of this action and the

Commissioner's request therein for an order setting an expedited hearing on the Verified Petition, this Court finds that a prompt hearing is appropriate in this matter and good cause has been established for the following order:

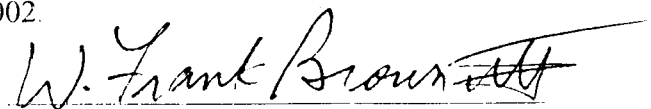
IT IS HEREBY ORDERED THAT the hearing on the Verified Petition shall be heard on Feb. 11, 2002 at 1:30pm (time) in Part 1 of this Hamilton County Chancery Court, 625 Georgia Avenue, Chattanooga, TN, 37402, to consider whether this Court should enter the Order requested by the Commissioner as set forth in the Prayer of the Commissioner's Petition. At such time the Respondents or any persons wishing to object to or otherwise request modification of the Order shall show cause why the Order should not be granted as requested by the Commissioner. Any objections should be filed prior to the hearing with the Clerk & Master of this Court before the close of business on Feb. 7, 2002, and a copy delivered to the counsel for the State.

Notice of this Order setting Hearing and the Verified Petition shall be served by the counsel for the Commissioner on all the Respondents and notice parties set forth in Exhibit E to the Petition. Proof of service shall be filed at or before the hearing date by counsel.

FAILURE TO FILE A WRITTEN RESPONSE OR OTHERWISE TO APPEAR AND OBJECT TO THE REQUESTED RELIEF MAY ALLOW THE REQUESTED ORDER TO BE ENTERED WITHOUT ORAL HEARING.

IT IS SO ORDERED.

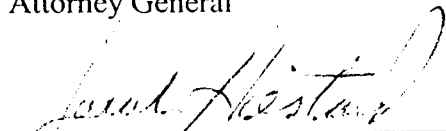
ENTERED THIS 22nd DAY OF January, 2002.

A handwritten signature in black ink, appearing to read "W. Frank Brown", written over a horizontal line.

CHANCELLOR

Approved for entry by:

PAUL G. SUMMERS
Attorney General

A handwritten signature in cursive script, appearing to read "Sarah A. Hiestand", is written over a horizontal line.

SARAH A. HIESTAND (14217)

Senior Counsel

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Attorney for Petitioner Anne B. Pope,
Commissioner of the Tennessee
Department of Commerce and Insurance

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